

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Ling et al.
Appl. No.: 10/688,758
Conf. No.: 1992
Filed: October 17, 2003
Title: ASSEMBLY FOR A FLOWABLE MATERIAL CONTAINER
Art Unit: 1772
Examiner: Haider, Saira B.
Docket No.: FLM-5686A (112713-818)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPLICANTS' INTERVIEW SUMMARY

Sir:

In response to the Examiner Interview dated March 20, 2007, please find the following remarks.

REMARKS

This Paper is submitted in response to a telephone Interview that occurred on March 20, 2007 between Examiner Haider and Examiner Seidleck and Attorney for Applicants, Ted J. Barthel. Attorney for Applicants would like to thank Examiners Haider and Seidleck for the courtesies extended during the Interview. Consensus was reached with respect to the following matters.

1. The Examiners and Attorney for Applicants agreed that the term "outermost" in claim 20 is supported by the specification. In particular, all parties agreed that Figures 2 and 3 of the present application disclose a port tube 18 having an outermost layer 23 and a membrane tube 20 having an outermost layer 26.

2. The Examiners and the Attorney for Applicant agreed that the term "solution contact layer" is definite and is supported by the specification. In particular, all parties agreed that one of ordinary skill in the art would recognize that the present port tube and the present membrane tube each have layers which contact the solution stored in the container when the solution is administered to a patient in view of the Applicants' disclosure at page 1 lines 5-17 and page 5 lines 9-17 of the present specification.

3. The Examiners and the Attorney for Applicants agreed that the term "solution contact" in claims 1 and 20 is not a product-by-process limitation. In particular, all parties agreed that one of ordinary skill in the art would recognize the structural aspect of a tube having a solution contact layer as a tube with a layer which contacts a solution passing therethrough in view of the Applicants' disclosure at page 1 lines 5-17 and page 5 lines 9-17 of the present specification.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY

A handwritten signature in black ink, appearing to read "Ted J. Barthel", is written over a horizontal line.

Ted J. Barthel

Reg. No. 48,769

Customer No. 29200

Dated: March 26, 2007